

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS**

WACO DIVISION

**BARBARA POLLEY,
Plaintiff,**

v.

**REGENT ASSET MANAGEMENT
SOLUTIONS, INC.,
Defendant.**

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CIVIL ACTION NO. W-11-CA-059

ORDER

Plaintiff seeks damages against Defendant for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq. ("FDCPA"), the Texas Debt Collection Practices Act, Chapter 392 ("TDCPA") and the Texas Deceptive Trade Practices Act ("DTPA"), included in Chapter 17, Subchapter E of the Texas Business and Commerce Code. Although Defendant has been served, Defendant has filed no answer or otherwise appeared in this lawsuit. Plaintiff moves for entry of default and default judgment, seeking statutory damages only under the FDCPA. Having reviewed Plaintiff's motions and the file in this case, the Court is persuaded that default should be granted. Accordingly, it is

ORDERED that Plaintiff's request for Clerk's entry of default is **GRANTED** and the Clerk of the Court is directed to enter default in the record against Defendant. It is further

ORDERED that Plaintiff's Motion for Default Judgment is **GRANTED** and Plaintiff shall recover from Defendant statutory damages under the FDCPA in the amount of \$1,000. Any additional relief not specifically granted is hereby **DENIED**. Plaintiff shall also recover costs of \$425.00 and attorney's fees, the amount of which shall be determined upon Plaintiff's filing of an affidavit for such fees which is in compliance with Local Rule CV-7(i) and *Johnson v. Georgia Highway Express*, 488 F.2d 714 (5th Cir. 1974). Plaintiff shall file her affidavit in support of attorney's fees within ten (10) days from the date of this Order.

SIGNED this 13th day of July, 2011.

A handwritten signature in blue ink, appearing to read "Walter S. Smith, Jr.", is written over a horizontal line.

WALTER S. SMITH, JR.
United States District Judge